FARAD CONTINUATION SHEET NO.:

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

WRIT PETITION NO.141 OF 1997
(Shri Govind Rajaram Salunke Vs State of Mah & ors)

Office Notes, Office Memoranda of coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

None for the petitioner.
Mr C.R.Sonawane, for R.Nos 1 and 3.
Mr N..Mankapure with Mr R.V.More for R.No.5.
None for R.No.4.

CORAM: V.G.PALSHIKAR,Ag.C.J.&
D.B.BHOSALE,J.
DATED: 21.11.2005

P.C.:

By this petition, the petitioner has challenged the order dated 20.6.1996 by which the caste scrutiny committee has invalidated the caste certificate issued to the petitioner.

It is an accepted position in law that prior to 1998 the caste scrutiny committee did not have the power to scrutinise the caste of persons who are not employees of the State Government or State Government Undertakings. Consequently, the order of June, 1996 is without jurisdiction and the same is liable to be set aside.

However, in the year 1998, the Committee was empowered to take into consideration all requests for caste verification from the nongovernment institutions also. It shall, therefore, be open for the respondent-Sangli District Central Co-op.Bank Ltd, Sangli to seek afresh verification of the caste claim as made by the petitioner. In the result, therefore, the petition succeeds and is allowed. The order dated 20.6.1996 is set aside in the light of the above observations. Rule made absolute accordingly.